



**ZIONSVILLE TOWN COUNCIL  
MEETING MEMORANDA  
FOR  
MONDAY, SEPTEMBER 21, 2020 AT 7:30 A.M.  
ELECTRONIC MEETING**

**This meeting was conducted pursuant to Governor Eric J. Holcomb's Executive Orders 20-02, 20-04 and 20-08 and Governor Holcomb's Exercise of his powers under Indiana's Emergency Management and Disaster Law, Ind. Code 10-14-3, *et seq.***

**Additional information about this meeting was provided in the annex published with the Agenda**

**1. OPENING**

**A. Call meeting to order**

President Garrett called the meeting to order at 7:31 a.m.

**B. Pledge of Allegiance**

**C. Attendance**

Municipal Relations Coordinator Amy Lacy took Council attendance.

Council Members Present: Josh Garrett, President; Bryan Traylor, Vice-President; Brad Burk, Alex Choi, Joseph Culp, Craig Melton and Jason Plunkett

Also present: Emily Styron, Mayor; Julie Johns-Cole, Deputy Mayor; Heather Willey, Town Attorney; Amy Lacy, Municipal Relations Coordinator and Town Department Staff.

**2. APPROVAL OF THE MEMORANDUM OF THE SEPTEMBER 8, 2020 REGULAR MEETING (copy posted)**

**COUNCIL ACTION:** President Garrett moved to approve the Memoranda of the September 8, 2020 Town Council Meeting.

Councilor Culp seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

The Memoranda of the September 8, 2020 meeting was approved by a vote of seven in favor, zero opposed. (7/0)

**3. REQUEST TO SPEAK**

Zionsville resident Craig Triscari spoke in opposition of the ongoing VanTrust project, stating that as of September 21, 2020 VanTrust had failed to run eight-inch water lines into Saratoga Springs as promised and was still in violation of the commitment letter. Mr. Triscari stated that the Council needs to review construction Ordinances, saying they were designed for short term building projects. He said his neighborhood has problems with construction noise at 5:00 am in the morning and early Saturday mornings. He also referenced a problem with dust from construction. Mr. Triscari

said that VanTrust needed to adhere to commitments regarding berms, fences, tree height and types of trees and that Zionsville needed to enforce these.

He also again expressed displeasure at what he felt to be the absence of value added in services or funding provided by the Town of Zionsville in Perry Township and the rural community. Mr. Triscari also said that homeowners should reduce their property taxes due to what he felt were the lack of services, and lack of adherence to a comprehensive plan by the Town of Zionsville.

Mayor Emily Styron shared her concerns regarding two items on the agenda, Ordinance 2020-12 Reestablishing the Fire Safety Board for Fire Department Matters and Ordinance 2020-13 Reestablishing the Board of Metropolitan Police Commissioners as the Safety Board for Police Matters. She explained that she had not had an opportunity to thoroughly review them and requested that the Council table both items to allow her the time to carefully review and prepare a response to go along with Council's discussion of the Ordinances at a future meeting.

#### 4. OLD BUSINESS

##### A. CONSIDERATION OF AN ORDINANCE ESTABLISHING A DEPARTMENT OF PUBLIC WORKS AND CREATING THE POSITIONS OF DIRECTOR OF PUBLIC WORKS AND DIVISION SUPERVISORS (FIRST READING) (CONTINUED FROM SEPTEMBER 8, 2020)

###### **Ordinance 2020-09**

President Garrett pointed out a revision made to the Ordinance in keeping with the spirit of the Reorganization Resolution to allow for Council oversight on termination matters for what would become the Division Supervisor of Wastewater rather than its current Department Head ranking.

Street and Stormwater Superintendent Lance Lantz addressed questions from the Council regarding the structure of the Department of Public Works, new positions, cost savings and efficiencies. Superintendent Lantz confirmed that even if new positions were not funded in the 2021 budget, the efficiencies would still be increased with the structure of the Department of Public Works. He discussed and answered questions regarding the addition of an engineering division, as well as explaining that the formulation of the DPW did not in any way alter the reporting and approval process with the Town Council. He confirmed to President Garrett that the revisions to the Ordinance would not have an effect on reporting structure of the DPW.

Councilor Plunkett expressed concerns that it was not clear from where the funds for the proposed DPW were coming and that he would like to know that before passing the Ordinance.

Superintendent Lantz emphasized that most communities of similar size have a Department of Public Works and that it was a growth step as the Town of Zionsville advances and expands.

In response to Councilor Melton's question regarding a new facility for the DPW, Superintendent Lantz and Mayor Styron confirmed that a new facility would not be necessary, and that staff would use existing facilities and space would be provided in Town Hall.

In response to President Garrett's inquiry regarding Wastewater funds, Superintendent Lantz confirmed that the creation of the DPW would in no way alter current revenue streams or expense streams.

**COUNCIL ACTION:** President Garrett moved to introduce Ordinance #2020-10 on first reading. Councilor Burk seconded the motion.

Ms. Lacy took a roll call vote:

###### **ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

Ordinance 2020-09 was introduced on first reading with a vote of seven in favor, zero opposed. (7/0) No further action was taken at this meeting.

## 5. NEW BUSINESS

### A. BUDGET INTRODUCTION

Attorney Heather Willey began by explaining the State statutory deadline obligations pertaining to budget adoption.

Chief Financial Officer Tammy Havard presented the 2021 budget, beginning with the budget timeline. She shared an overall funds comparison, overall revenue and expense estimates for the proposed 2021 budget and comparisons with the 2020 adopted budget. She also shared expense estimates and comparisons per department and fund, highlighting changes made since the Budget Workshop and the difference in amounts over 2020.

She explained that some funds that had been separate in 2020 and prior would now fall under the General fund, to include Fire and Parks.

In detailing the Food and Beverage budget, she said that \$115,000 of the proposed \$495,000 appropriation would go to the Town Hall payment and the rest would be available for community grants. She explained that the Mayor is proposing a fair system of awarding grants to applicants and is working toward that end for 2020 and 2021 and confirmed that there would no longer be individual line appropriations for each grant.

Discussion followed. Questions were raised regarding the grant award process for 2020 and 2021, budget deficient, cash balances and reserves, the budget process and Council inclusion in the process, the combining of funds under the General fund, moving funds between departments and funds, the Gateway project, impact of future revenue reductions and sustainability, among others.

Attorney Willey, CFO Havard, Tim Berry of Crowe LLC and Mayor Styron shared information and answered questions from the Council.

Mayor Styron explained that the budget Council was receiving was the Mayor's Administration budget submitted for approval, just as it was last year in the prior administration. She went on to emphasize that it is historically normal for a new Mayor to take a step back and look at the priorities of the prior administration and reevaluate and line it up with her priorities and the current needs of the community.

CFO Havard explained that if the Fire and Parks funds were to be separated out from the General fund, it would need to be done before the budget hearing publication on September 25th. Vice-President Traylor and Councilor Plunkett stated that they wanted the funds separated.

President Garrett asked that CFO Havard plan on separating the funds for the September 25<sup>th</sup> publication or delay publication.

There was discussion regarding a holding a special meeting or budget workshop to further discuss the budget. It was determined that Attorney Willey and CFO Havard would discuss and determine a date and time for the meeting.

No further action was taken at this meeting.

At this time President Garrett called for a five-minute break.

B. CONSIDERATION OF AN ORDINANCE VACATING A PORTION OF A PUBLIC RIGHT-OF-WAY (TOWN OF HAMILTON – HOLLIDAY FARMS - HENKE)  
(PUBLIC HEARING)

**Ordinance 2020-10**

Roger Kilmer, Planner for the Planning and Economic Development Department explained the process for vacating public right of ways and easements and the roles of Town Council and the Plan Commission in the process in general and specifically relating to Ordinance 2020-10.

With Proof of Publication noted and displayed on his screen, President Garrett opened the Public Hearing.

With no public comment, President Garrett closed the Public Hearing and called for any further questions from Council.

Mr. Kilmer answered questions from the Council.

**COUNCIL ACTION:** President Garrett moved to introduce Ordinance #2020-10 on first reading. Councilor Choi seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

PRESIDENT GARRETT	Yea
VICE-PRESIDENT TRAYLOR	Yea
COUNCILOR BURK	Yea
COUNCILOR CHOI	Yea
COUNCILOR CULP	Yea
COUNCILOR MELTON	Yea
COUNCILOR PLUNKETT	Yea

Ordinance 2020-10 was introduced on first reading with a vote of seven in favor, zero opposed. (7/0) No further action was taken at this meeting.

C. CONSIDERATION OF AN ORDINANCE VACATING A DRAINAGE EASEMENT (TOWRISS)  
(PUBLIC HEARING)

**Ordinance 2020-11**

Roger Kilmer presented Ordinance 2020-11 and explained the easement vacation requested in detail. He answered questions from the Council.

With Proof of Publication noted and displayed on his screen, President Garrett opened the Public Hearing.

With no public comment, President Garrett closed the Public Hearing and called for any further questions from Council.

**COUNCIL ACTION:** Councilor Melton moved to introduce Ordinance #2020-11 on first reading. Councilor Burk seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

PRESIDENT GARRETT	Yea
VICE-PRESIDENT TRAYLOR	Yea
COUNCILOR BURK	Yea
COUNCILOR CHOI	Yea
COUNCILOR CULP	Yea
COUNCILOR MELTON	Yea
COUNCILOR PLUNKETT	Yea

Ordinance 2020-11 was introduced on first reading with a vote of seven in favor, zero opposed. (7/0) No further action was taken at this meeting.

D. CONSIDERATION OF AN ORDINANCE REESTABLISHING THE SAFETY BOARD FOR FIRE DEPARTMENT MATTERS

**Ordinance 2020-12**

Attorney Willey gave background on Ordinance 2020-12 and Ordinance 2012-13. In response to President Garrett's question regarding Mayor Styron's request to delay consideration of Ordinance 2020-12 and 2020-13 and if the Mayor had the opportunity to be aware of and review the Ordinances, Attorney Willey said that they had been discussing the topics with the Administration's legal counsel for about a month to create the Ordinances to Reestablish the Safety and Board of Metropolitan Police Commissioners. She went on to explain the Ordinances were created to tighten up the scope to align with statute and to be consistent with the Reorganization Resolution, while delineating the proper role of the Safety Board.

Attorney Willey stated that she was concerned about delaying the process as there was currently a pending employment matter within the Fire Department which needed to be addressed by the Safety Board. She answered further questions from the Council.

Vice-President Traylor stated that he would like to go on record as saying that he did not want it to appear that Town Council was insensitive to the Mayor's request for a delay. Citing the recent budget presentation and issues regarding the Safety Board, he said he felt Council had given more notice on anything to Administration than Council had been given from Administration.

**COUNCIL ACTION:** Councilor Burk moved to introduce Ordinance #2020-12 on first reading.

President Garrett seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

Ordinance 2020-12 was introduced on first reading with a vote of seven in favor, zero opposed. (7/0) No further action was taken at this meeting.

E. CONSIDERATION OF AN ORDINANCE REESTABLISHING THE BOARD OF METROPOLITAN POLICE COMMISSIONERS AS THE SAFETY BOARD FOR POLICE MATTERS

**Ordinance 2020-13**

Attorney Willey gave background on Ordinance 2020-13, saying that the prior Ordinance passed in 2008 did not reflect the Reorganization. She explained that the key changes in Ordinance 2020-13 over the prior ordinance is that it reflects the language of the Reorganization and language allowing the Mayor to appoint the Police Chief and employees, and have employees under her supervision. She said it also tightened up and clarified Police Commissioner roles and responsibilities.

Attorney Willey answered questions from the Council.

**COUNCIL ACTION:** President Garrett moved to introduce Ordinance #2020-13 on first reading. Vice-President Traylor seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

Ordinance 2020-13 was introduced on first reading with a vote of seven in favor, zero opposed. (7/0) No further action was taken at this meeting.

6. OTHER MATTERS

There were no other matters to discuss.

7. APPROVAL OF CLAIMS

President Garrett asked for discussion or a motion.

Councilor Plunkett pointed out that in addition to increasing legal fees for the next budget we are rapidly approaching exceeding our surplus legal fees for this year.

**COUNCIL ACTION:** President Garrett moved to approve claims as presented. Councilor Burk seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

Claims were approved by a vote of seven in favor, zero opposed. (7/0)

8. ADJOURN

**COUNCIL ACTION:** President Garrett moved to adjourn the meeting. Councilor Choi seconded the motion.

Ms. Lacy took a roll call vote:

**ROLL CALL VOTE:**

<b>PRESIDENT GARRETT</b>	<b>Yea</b>
<b>VICE-PRESIDENT TRAYLOR</b>	<b>Yea</b>
<b>COUNCILOR BURK</b>	<b>Yea</b>
<b>COUNCILOR CHOI</b>	<b>Yea</b>
<b>COUNCILOR CULP</b>	<b>Yea</b>
<b>COUNCILOR MELTON</b>	<b>Yea</b>
<b>COUNCILOR PLUNKETT</b>	<b>Yea</b>

The motion was approved by a vote of seven in favor, zero opposed. (7/0)

The next regular Town Council meeting is scheduled for Monday, October 5, 2020 at 7:00 p.m. Determination of the need for a solely electronic meeting will be evaluated prior to the meeting and final notice will be posted in compliance with the Indiana Open Door Law.

Respectfully Submitted,

Amelia Anne Lacy, Municipal Relations Coordinator  
Town of Zionsville